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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

IN RE: HIGH-TECH EMPLOYEE  
ANTITRUST LITIGATION

THIS DOCUMENT RELATES TO:

All Actions

Master Docket No. 11-CV-2509-LHK

**PLAINTIFFS' ADMINISTRATIVE  
MOTION TO SEAL PURSUANT TO CIVIL  
LOCAL RULES 7-11 AND 79-5(d) and (e)**

Judge: Honorable Lucy H. Koh

Pursuant to Civil Local Rule 7-11 and 79-5(d) and (e), Plaintiffs respectfully request that this Court authorize the filing under seal of the following documents:

1. Portions of Plaintiffs' Opposition to Defendants' Joint Motions *In Limine*; and
2. Exhibits A, 1-9, 13-19, 80, 278, 279, and 637 to the Declaration of Anne B. Shaver

In Support of Plaintiffs' Opposition to Defendants' Joint Motions *In Limine*.

Plaintiffs request that the above noted documents be filed under seal because they are or refer to documents or information that Defendants have designated "CONFIDENTIAL" or "CONFIDENTIAL – ATTORNEYS' EYES ONLY" under the Stipulated Protective Order (Modified by the Court) (Dkt. No. 107). None of the information at issue was designated as confidential by Plaintiffs. Plaintiffs reserve the right to challenge any "CONFIDENTIAL" or "CONFIDENTIAL – ATTORNEYS' EYES ONLY" designation under the Stipulated Protective Order (Modified by the Court) (Dkt. No. 107) as well as the sealability of these documents under Civil Local Rule 79-5.

Rule 26(c) of the Federal Rules of Civil Procedure provides discretion for a trial court to permit sealing of court documents. Fed. R. Civ. P. 26(c)(1). In the context of a non-dispositive motion, the Ninth Circuit allows an exception to the presumption of access to judicial records for "good cause." *Pintos v. Pacific Creditors Assoc.*, 565 F.3d 1106, 1115 (9th Cir. 2009) ("In light of the weaker public interest in nondispositive materials, we apply the 'good cause' standard when parties wish to keep them under seal."); *cf. Kamakana v. City & Cnty. of Honolulu*, 447 F.3d 1172, 1179 (9th Cir. 2006). Under Rule 26(c)(1), "The court may, for good cause, issue an order to protect a party or person from annoyance, embarrassment, oppression, or undue burden or expense."

1 Dated: April 17, 2014

Respectfully Submitted,

2 By: /s/ Anne B. Shaver  
Anne B. Shaver

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